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| 09/828,450      | 04/06/2001  | Lida Nobakht         | CTV-001-1P          | 6904             |

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EXAMINER

LIM, KRISNA

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2153

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/828,450

Applicant(s)

NOBAKHT ET AL.

Examiner

Krisna Lim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

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5/4/04

1. Applicant is advised that the Notice of Allowance mailed on ~~5/1/04~~ is vacated. If the issue fee has already been paid, applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a specified Deposit Account.

2. Prosecution on the merits of this application is reopened on claims 1-18 considered un-patentable for the reasons indicated below:

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6 and 12-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsu [U.S. Patent No. 6,195,692].

5. As to claim 1, Hsu anticipates a method for establishing a channel-based network for accessing the Internet comprising:

a) storing a channel table (e.g., see col. 6, lines 1-5, which describes that the server provides a "page which links or shortcuts to internet content" and that the pages

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are displayed as part of a selection of channels") in a system server (16 of figure 1) connected to the internet (at figure 1), wherein the channel table includes internet addresses [URL, at col. 9, lines 32-33] with corresponding channel numbers and names [at figure 8, col. 9, lines 37-47, and col. 10, lines 1-3]; and

b) downloading the channel table from the system server to a user terminal [client 10 of figure 1, cols. 3, line 16-17] using a satellite system [DBS 19 of figure 1, and col. 4 (line 63) to col. 5 (line 3), col. 6, lines 1-11].

6. As to claim 2, Hsu further anticipates retrieving an Internet address [URL, at col. 9, lines 32-33] from the channel table downloaded to the user terminal in response to a channel number or channel name selected by a user at figure 8, col. 9, lines 37-47, and col. 10, lines 1-3]; and transmitting the Internet address from the user terminal to the Internet (e.g., see col. 5, line 59).
7. As to claim 3, Hsu further anticipates transmitting information from an Internet site (e.g., see col. 6, lines 1-11) associated with the Internet address to the user terminal [client 10 of figure 1, cols. 3, line 16-17] by the satellite system [DBS 19 of figure 1, and col. 4 (line 63) to col. 5 (line 3), col. 6, lines 1-11].
8. As to claim 4, Hsu further anticipates the Internet address is transmitted from the user terminal [client 10 of figure 1, cols. 3, lines 6-17] to the Internet by a terrestrial communication system (cable 17, or a telephone modem 18, col. 4, lines 28-30 and 50-51).
9. As to claim 5, Hsu further anticipates the Internet address is transmitted from the user terminal [client 10 of figure 1, cols. 3, lines 16-17] to the Internet by the satellite system [DBS 19 of Fig. 1, col. 4 (line 4) to col. 5, line 3].
10. As to claim 6, Hsu discloses information are transmitted between the client 10 of figure 1 and the Internet by the satellite system DBS 19 at different and

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about equal bandwidths (e.g., see column 2, lines 61-67, column 4, lines 51-67).

11. As to claims 12-18 they are similarly rejected in view of the HSU reference as in paragraphs 5-10 above.

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu [U.S. Patent No. 6,195,692].as applied to claims 1-6 above, and further in view of Challener et al. [U.S. Patent No. 6,598,032].

14. As to the rejection of claims 1-6, see paragraphs 5-10 above.

15. As to claims 7 and 9, Hsu does not explicitly detail or address the security features (e.g., authorization, authentication, etc.). However, the feature of comparing and checking for the properly authorized user identification (e.g., PIN) before allowing the communication to take place is clearly taught by Challener et al. (e.g., see 410 and 412 of Fig. 4, col. 1, line 26, to col. 4, line 10). Data communication with a security and protection over the computer network (e.g., Internet) would have been a desire feature in the art at the time the invention was made. Thus, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to recognize that by incorporate the teaching of Challener's into Hsu's system the security and data protection can be achieved.

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16. As to claims 8 and 10, Challenger clearly teaches the feature of reading the user identification information from an asset manager memory of the user terminal and a smart card (112) inserted in a socket of the terminal (108) (e.g., see col. 1, lines 29-40, Figs. 1-2).

17. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu [U.S. Patent No. 6,195,692].as applied to claim 1 above, and further in view of Bright et al. [U.S. Patent No. 5,694,473].

18. As to the rejection of claim 1, see paragraph 5 above.

19. As to claim 11,, Hsu does not explicitly detail or address the feature of encryption and decryption data. However, such feature of encryption and decryption data in order to prevent unauthorized recipient from reading or receiving the data is clearly taught by Bright et al. (e.g., see the title, an abstract, col. 2, line 61, to col. 3, line 67). Preventing unauthorized recipient from reading or receiving information would have been a desire feature in the art at the time the invention was made. Thus, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to recognize that by incorporate the teaching of Bright et al. into Hsu's system the data or information can be properly read or received by the proper recipient.

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Krisna Lim whose telephone number is (703) 305-9672. The examiner can normally be reached on Monday-Friday from 7:30 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Glenton Burgess, can be reached at (703) 305-4772. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9700

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [glen.burgess@uspto.gov].

All Internet e-mail communication will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirement of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Office Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

kl

October 22, 2004



KRISNA LIM  
PRIMARY EXAMINER